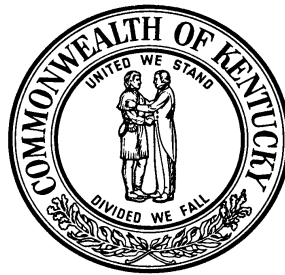


**REPORT OF THE AUDIT OF THE
MONTGOMERY COUNTY
CLERK**

**For The Period
January 6, 2003 Through December 31, 2003**



**CRIT LUALLEN
AUDITOR OF PUBLIC ACCOUNTS
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CRIT LUALLEN
AUDITOR OF PUBLIC ACCOUNTS

To the People of Kentucky
Honorable Ernie Fletcher, Governor
Robbie Rudolph, Secretary
Finance and Administration Cabinet
Honorable B. D. Wilson, Jr., Montgomery County Judge/Executive
Honorable Judy Long Witt, Montgomery County Clerk
Members of the Montgomery County Fiscal Court

The enclosed report prepared by Morgan-Franklin, LLC, Certified Public Accountants, presents the statement of revenues, expenditures, and excess fees of the County Clerk of Montgomery County, Kentucky, for the period January 6, 2003 through December 31, 2003.

We engaged Morgan-Franklin, LLC to perform the audit of this statement. We worked closely with the firm during our report review process; Morgan-Franklin, LLC evaluated the Montgomery County Clerk's internal controls and compliance with applicable laws and regulations.

Respectfully submitted,

A handwritten signature in cursive script, reading "Crit Luallen".

Crit Luallen
Auditor of Public Accounts

Enclosure



**REPORT OF THE AUDIT OF THE
MONTGOMERY COUNTY
CLERK**

**For The Period
January 6, 2003 Through December 31, 2003**

**Morgan-Franklin, LLC
P.O. Box 428
513 Main Street
West Liberty, KY 41472**

EXECUTIVE SUMMARY

AUDIT EXAMINATION OF THE MONTGOMERY COUNTY CLERK

**For The Period
January 6, 2003 Through December 31, 2003**

Morgan-Franklin, LLC has completed the Montgomery County Clerk's audit for the period January 6, 2003 through December 31, 2003. Based upon the audit work performed, the financial statement presents fairly in all material respects, the revenues, expenditures, and excess fees in conformity with the regulatory basis of accounting described in Note 1.

Financial Condition:

Excess fees increased by \$19,476 from the prior year, resulting in excess fees of \$189,567 for the period January 6, 2003 through December 31, 2003. Revenues increased by \$200,199 from the prior year and expenditures increased by \$180,723.

Deposits:

The Clerk's deposits were insured and collateralized by bank securities.

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Morgan-Franklin, LLC

**P.O. Box 428
513 Main Street
West Liberty, KY 41472**

The Honorable B. D. Wilson, Jr., Montgomery County Judge/Executive
The Honorable Judy Long Witt, Montgomery County Clerk
Members of the Montgomery County Fiscal Court

Independent Auditors' Report

We have audited the accompanying statement of revenues, expenditures, and excess fees - regulatory basis of the County Clerk of Montgomery County, Kentucky, for the period January 6, 2003 through December 31, 2003. This financial statement is the responsibility of the County Clerk. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for County Fee Officials issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the County Clerk's office prepares the financial statement on a regulatory basis of accounting that demonstrates compliance with the laws of Kentucky, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the financial statement referred to above presents fairly, in all material respects, the revenues, expenditures, and excess fees of the County Clerk for the period January 6, 2003 through December 31, 2003, in conformity with the regulatory basis of accounting.

In accordance with Government Auditing Standards, we have also issued our report dated October 12, 2004, on our consideration of the County Clerk's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grants. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be read in conjunction with this report in considering the results of our audit.

The Honorable B. D. Wilson, Jr., Montgomery County Judge/Executive
The Honorable Judy Long Witt, Montgomery County Clerk
Members of the Montgomery County Fiscal Court

This report is intended solely for the information and use of the County Clerk and Fiscal Court of Montgomery County, Kentucky, and the Commonwealth of Kentucky and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,

Morgan - Franklin, LLC

Morgan-Franklin, LLC

Audit fieldwork completed -
October 12, 2004

MONTGOMERY COUNTY
JUDY LONG WITT, COUNTY CLERK
STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS

For The Period January 6, 2003 Through December 31, 2003

Revenues

State Fees For Services	\$	9,896	
Fiscal Court			75,819
Licenses and Taxes:			
Motor Vehicle-			
Licenses and Transfers	\$	708,864	
Usage Tax		3,490,312	
Tangible Personal Property Tax		1,541,884	
Licenses-			
Marriage		8,591	
Dog Licenses		1,396	
Deed Transfer Tax		68,016	
Delinquent Tax		317,272	6,136,335
Fees Collected for Services:			
Recordings-			
Deeds, Easements, and Contracts	\$	43,659	
Real Estate Mortgages		65,534	
Chattel Mortgages and Financing Statements		84,859	
Powers of Attorney		1,930	
All Other Recordings		11,386	
Charges for Other Services-			
Notary Fees		11,920	
Passports		14,755	
Postage		1,662	
Copywork		8,948	244,653
Interest Earned			1,059
Total Revenues	\$		6,467,762

The accompanying notes are an integral part of this financial statement.

MONTGOMERY COUNTY
 JUDY LONG WITT, COUNTY CLERK
 STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS
 For The Period January 6, 2003 Through December 31, 2003
 (Continued)

Expenditures

Payments to State:

Motor Vehicle-

Licenses and Transfers \$ 511,473

Usage Tax 3,385,390

Tangible Personal Property Tax 559,383

Licenses, Taxes, and Fees-

Delinquent Tax 46,013

Legal Process Tax 25,212

Dog Licenses 1,181 \$ 4,528,652

Payments to Fiscal Court:

Tangible Personal Property Tax \$ 132,095

Delinquent Tax 24,306

Deed Transfer Tax 64,615 221,016

Payments to Other Districts:

Tangible Personal Property Tax \$ 782,690

Delinquent Tax 169,887 952,577

Payments to Sheriff

2,703

Payments to County Attorney

47,635

Operating Expenditures:

Personnel Services-

Deputies' Salaries \$ 322,813

Employee Benefits-

Employer's Share Social Security 21,877

Employer's Share Retirement 22,191

Employer's Paid Health Insurance 53,465

Other Payroll Expenditures 295

Materials and Supplies-

Office Supplies 1,171

The accompanying notes are an integral part of this financial statement.

MONTGOMERY COUNTY
JUDY LONG WITT, COUNTY CLERK
STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS
For The Period January 6, 2003 Through December 31, 2003
(Continued)

Expenditures (Continued)

Operating Expenditures: (Continued)

Other Charges-		
Conventions and Travel	\$ 1,852	
Dues	800	
Postage	729	
Property Tax Bill Preparation	1,784	
Passports	10,045	
Miscellaneous	<u>1,080</u>	\$ 438,102
Debt Service:		
Computer Lease and Maintenance		<u>14,844</u>
Total Expenditures		<u>\$ 6,205,529</u>
Net Revenues		\$ 262,233
Less: Statutory Maximum		<u>68,307</u>
Excess Fees		\$ 193,926
Less: Expense Allowance	\$ 3,600	
Training Incentive Benefit	<u>759</u>	<u>4,359</u>
Excess Fees Due County for 2003		\$ 189,567
Payments to Fiscal Court - January 15, 2004	\$ 189,410	
- October 12, 2004	<u>157</u>	<u>189,567</u>
Balance Due Fiscal Court at Completion of Audit		<u><u>\$ 0</u></u>

The accompanying notes are an integral part of this financial statement.

MONTGOMERY COUNTY
NOTES TO FINANCIAL STATEMENT

December 31, 2003

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

A fee official uses a fund to report on the results of operations. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fee official uses a fund for fees to account for activities for which the government desires periodic determination of the excess of revenues over expenditures to facilitate management control, accountability, and compliance with laws.

B. Basis of Accounting

Kentucky Revised Statute (KRS) 64.820 directs the fiscal court to collect any amount, including excess fees, due from the County Clerk as determined by the audit. KRS 64.152 requires the County Clerk to settle excess fees with the fiscal court by March 15 each year.

The financial statement has been prepared on a regulatory basis of accounting, which demonstrates compliance with the laws of Kentucky and is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America. Under this regulatory basis of accounting, revenues and expenditures are generally recognized when cash is received or disbursed with the exception of accrual of the following items (not all-inclusive), at December 31, that may be included in the excess fees calculation:

- Interest receivable
- Collection on accounts due from others for 2003 services
- Reimbursements for 2003 activities
- Payments due other governmental entities for December tax and fee collections and payroll
- Payments due vendors for goods or services provided in 2003

The measurement focus of a fee official is upon excess fees. Remittance of excess fees is due to the County Treasurer in the subsequent year.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the County Clerk's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

MONTGOMERY COUNTY
NOTES TO FINANCIAL STATEMENT
December 31, 2003
(Continued)

Note 2. Employee Retirement System

The county officials and employees have elected to participate in the County Employees Retirement System (CERS), pursuant to KRS 78.530 administered by the Board of Trustees of the Kentucky Retirement Systems. This is a multiple-employer public retirement system that covers all eligible full-time employees.

Benefit contributions and provisions are established by statute. Nonhazardous covered employees are required to contribute 5.0 percent of their salary to the plan. The county's contribution rate for nonhazardous employees was 6.34 percent for the first six months and 7.34 percent for the last six months of the year.

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65.

Historical trend information pertaining to CERS' progress in accumulating sufficient assets to pay benefits when due is presented in the Kentucky Retirement Systems' annual financial report which is a matter of public record.

Note 3. Deposits

The County Clerk maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to KRS 66.480(1)(d) and KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the County Clerk and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. These requirements were met, and as of December 31, 2003, the County Clerk's deposits were fully insured or collateralized at a 100% level with collateral of pledged securities held by the County Clerk's agent in the County Clerk's name.

Note 4. Grant

The County Clerk received a local records microfilming grant from the Kentucky Department for Libraries and Archives in the amount of \$3,349. The unexpended grant balance was \$3,349 as of December 31, 2003.

Note 5. Lease

The office of the County Clerk is committed to a lease agreement with Software Management, Inc. for computer equipment and maintenance. The agreement requires a monthly payment of \$1,237 for 60 months to be completed on July 31, 2004. The total balance of the agreement including interest was \$8,659 as of December 31, 2003.

MONTGOMERY COUNTY
NOTES TO FINANCIAL STATEMENT
December 31, 2003
(Continued)

Note 6. Flexible Health Care Spending Plan

The Clerk began a flexible health care spending plan that became effective September 1, 2003. This plan provides an amount provided by the county that is equal to the monthly single policy premium and will be available for reimbursement of eligible uninsured health care expenses for the employee, spouse and/or dependent children. The plan administrator is the County Treasurer.

REPORT ON COMPLIANCE
AND ON INTERNAL CONTROL OVER FINANCIAL
REPORTING BASED ON AN AUDIT OF THE FINANCIAL STATEMENT
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

Morgan-Franklin, LLC

**P.O. Box 428
513 Main Street
West Liberty, KY 41472**

The Honorable B. D. Wilson, Jr., Montgomery County Judge/Executive
The Honorable Judy Long Witt, Montgomery County Clerk
Members of the Montgomery County Fiscal Court

Report On Compliance And On Internal Control Over Financial Reporting Based On An Audit Of The Financial Statement Performed In Accordance With Government Auditing Standards

We have audited the statement of revenues, expenditures, and excess fees - regulatory basis of the Montgomery County Clerk for the period January 6, 2003 through December 31, 2003, and have issued our report thereon dated October 12, 2004. This was a special report on the County Clerk's financial statement prepared in accordance with a basis of accounting other than generally accepted accounting principles. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the Montgomery County Clerk's financial statement for the period January 6, 2003 through December 31, 2003, is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under Government Auditing Standards.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Montgomery County Clerk's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statement and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statement being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

Report On Compliance And On Internal Control
Over Financial Reporting Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards
(Continued)

This report is intended solely for the information and use of management and is not intended to be and should not be used by anyone other than the specified parties.

Respectfully submitted,

Morgan - Franklin, LLC

Morgan-Franklin, LLC

Audit fieldwork completed -
October 12, 2004

